



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager
From: Lorrie McKay, Intergovernmental Relations Manager
Date: March 22, 2011
Subject: 2011 LEGISLATIVE UPDATE 5

RECOMMENDATION:

Council should receive a fifth update on the 2011 legislative session.

BACKGROUND DISCUSSION:

As of the April 5 Council meeting, the 2011 State Legislative session will be in its thirteenth week. There are fifteen weeks in the long session.

March 25 is the last day to read in committee reports from opposite house, except House fiscal and Senate Ways & Means and Transportation committees. April 12 is the day to consider opposite house bills (except initiatives, budgets and matters necessary to implement the budget).

The number of bills introduced this session is a down little from previous long sessions with over 1000 bills introduced in each chamber. This session, the House has introduced 1288 bills and the Senate has introduced 1260 bills. The House has passed out 353 bills (27%) and Senate has passed out 223 bills (17.5%).* Following the opposite house cutoff on March 25, these numbers will narrow further. In past long sessions, each chamber has introduced about 2000 bills, with each house of origin having passed out about 400-450 by this point in the process.

As of March 22, a majority (70%) of City of Kirkland's legislative priority bills remain alive and in play.

** Note: This is not an exact count of all that is alive in Olympia since some bills are necessary to implement budgets and remain alive.*

COUNCIL LEGISLATIVE SUBCOMMITTEE:

The Council's Legislative Subcommittee meets weekly on Friday's at 4pm (Mayor McBride, Council Member Asher, Council Member Marchione).

All three members of the Legislative Subcommittee met on Friday, March 18 to review the status of the City's four remaining legislative priorities needing floor votes before the March 25 and April 12 cutoffs.

2011 LEGISLATIVE PRIORITIES AND SUPPORT OF ALLIES:

A detailed matrix tracking the status of Kirkland's legislative priorities as of March 18 is attached to this memorandum (Attachment A).

As of March 22, seven of City of Kirkland's ten legislative priority bills remain alive.

2011 Legislative Priorities	Bill Number	Hearing Status
Financial assistance for the construction of the Public Safety Building	HB 1497 – Dunshee SB 5467 – Kilmer	- Project request submitted - Senate process initiated
Flexibility in the use of Real Estate Excise Tax	HB 1953 – Springer	- 3/21 Heard in committee - 3/24 Scheduled exec
Annexation census requirements	HB 1336 – Springer SB 5505 – Hill	- 3/1 Read into GOTRE - 3/15 Passed to Rules for 2 nd Reading
Roadway pricing tools (tolling) on I-405	HB 1382 – Clibborn	- 3/16 Heard in Committee
New financing tools to support public/private partnerships	HB 1881 – Springer SB 5705 – Kilmer	- House bill appears dead - Senate bill NTIB
Streamline SEPA process	HB 1952 – Upthegrove	- Bill appears dead
"Fiscal relief" bill to postpone various city reporting requirements.	HB 1478 – Springer	- 3/17 Heard in committee - 3/22 Scheduled exec
Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers	HB 1335 - Springer SB 5243 - Tom	- Both bills are dead
Eliminate cities' obligation to pay impact fees exempting low-income housing	HB 1398 - Fitzgibbon	- 3/22 Exec'd out
Fire benefit authority	(HB 1230 & SB 5155)	- Both bills are dead

Status of HB 1812 – "Changing provisions relating to community municipal corporations"

- March 8, Heard in the Senate Committee on Government Operations, Tribal Relations & Elections
- Status – No movement. Appears dead.

Waypoint Consulting Group's detailed matrix tracking the status of selected legislative items of Kirkland's ally organizations is also attached to this memorandum (Attachment B). Changes since the March 15 council meeting are highlighted in gray (dead) and yellow (alive).

Matrices updated March 28, for both Kirkland's legislative priorities and items from our allies, will be emailed to Council in advance of the meeting on April 5.

2011 Legislative Items to Support (Organizations)
Bill Number

Association of Washington Cities – New tools to help cities recover, thrive and be efficient <ul style="list-style-type: none"> - Pro-active public records proposals - Options for creating sustainable personnel related costs - Tools for combating gang activity - Street maintenance utility authority Maintain essential state revenues and authorities for cities	HB 1033 – Eddy (dead) SB 5022 – Kilmer (Heard 3/14) HB 1034 – Takko (dead) SB 5025 – Hargrove (Exec'd out 3/21) SB 5049 – Kline (dead) HB 1139 – Armstrong (dead) SB 5062 – Pridemore (dead) HB 1086 – Hunter (Passed 1/24) HB 1497 – Dunshee (NTIB) SB 5467 – Kilmer (NTIB)
Cascade Water Alliance – <ul style="list-style-type: none"> - Joint Municipal Utility Services 	HB 1332 – Eddy (Rules 3/15) SB 5198 – Pridemore (dead)
Environmental Priorities Coalition – <ul style="list-style-type: none"> - 2011 Clean Water for Jobs 	HB 1735 – Ormsby (dead) SB 5604 – Nelson (dead)
Washington Fire Chiefs Association – <ul style="list-style-type: none"> - Simple majority for EMS levies 	HB 1476 – Haigh (dead) SB 5381 – Prentice (dead)
Washington Association of Sheriffs and Police Chiefs – <ul style="list-style-type: none"> - Burglar Alarm Program information protection 	HB 1234 – Moscoso (Rules 3/18) SB 5244 – Fraser (Heard 3/14)
Washington Bicycle Alliance– <ul style="list-style-type: none"> - Safe Routes to School 	HB 1071 – Moeller (Heard 3/9)
Washington Recreation and Parks Association – <ul style="list-style-type: none"> - REET - Washington Wildlife Recreation Program (WWRP) 	HB 1953 – Springer (Schd Exec 3/24) Governor's Capital Budget for 11-13 created PSSWWR grants
Washington Low-Income Housing Alliance – <ul style="list-style-type: none"> - Maintain the State's investment in Housing Trust Fund 	Governor's Capital Budget for 11-13 proposes \$40M
Washington Chapter of the American Planning Association	
WRIA 8 – <ul style="list-style-type: none"> - Funding support for Puget Sound Partnership agenda - Legislation that creates multipurpose Watershed Districts 	HB 1332 – Eddy (Rules 3/15) SB 5198 – Pridemore (dead) HB 1735 – Ormsby (dead) SB 5604 – Nelson (dead) HB 1497 – Dunshee (NTIB) SB 5467 – Kilmer (NTIB)
Other Legislation to Support – <ul style="list-style-type: none"> - Safe collection and disposal of unwanted drugs from residential sources 	HB 1370 – Van de Wege (dead) SB 5234 – Kline (dead)

HEARINGS AND CORRESPONDENCE:

Bill	Cmte	Date	City Rep. / Action	SME
EHB – 1382 (express toll lanes in I-405)	TR	3/16	Letter of Support	Dave Godfrey
ESHB – 1478 ("Fiscal Relief")	GOTRE	3/17	CM Doreen Marchione	Eric Shields
HB – 1953 (REET)	GOTRE	3/21	AWC	Kurt Triplett

Cmte (Committee) Legend

TR = Committee on Transportation

GOTRE = Committee on Government Operations, Tribal Relations and Elections

BILL TRACKING:

A March 18 bill tracker is attached to this memorandum (Attachment C) showing the status of bills of interest to the City as well as the City's position on those bills. Bills that have died have been removed. An updated bill tracker from March 28 will be emailed to Council in advance of the meeting on April 5.

Attachments: Status of City's 2011 legislative priorities
 Status of Ally Support 2011 legislative priorities
 List of bills the City is tracking and positions

City of Kirkland Legislative Priorities and Status: 2011 Legislative Session
Updated 3.22.11

Attachment A

	Legislative Priority	Bill #	Prime Sponsor	Status
1	Oppose new mandates and cost shifting			See bill tracker – monitoring status of all bills.
2	Financial assistance for the construction of the Public Safety Building	HB 1497 SB 5467	Eastside (Kirkland) Legislators	House Cap. Budget local community project request form submitted to Chair. Senate process initiated.
3	Flexibility in the use of Real Estate Excise Tax revenue for infrastructure and parks maintenance.	HB 1953 (AWC)	Rep. Springer	3/4 Passed House - yeas, 79; nays, 18; absent, 0; excused, 1 3/21 Heard in GOTRE 3/24 scheduled for Exec Session in GOTRE
4	Financial relief for annexation census requirements through the ability to use alternate enumeration methods such as the federal census.	HB 1336 SB 5505	Rep. Springer Sen. Hill	2/26 Passed House - yeas, 97; nays, 0; absent, 0; excused, 1 3/1 Read into GOTRE 2/25 Passed Senate - yeas, 48; nays, 0; absent, 0; excused, 1 3/15 – Passed to Rules for 2 nd Reading
5	Support legislation for roadway pricing tools that provides funding for high priority transportation routes, promotes multi-modal transportation modes and mitigates collateral impacts.	HB 1382	Rep. Clibborn	3/5 Passed House - yeas, 52; nays, 46; absent, 0; excused, 0 3/16 Heard in Senate Transportation
6	Preserve all options for future use of the BNSF corridor and state financial assistance to implement multiple uses.	NA		Monitoring bills that would restrict possible uses of the corridor and continue to bring project to legislator's attention for future action.
7	New financing tools to support public/private partnerships including flexibility in the use of existing tax sources to support new development and to facilitate small business growth through the use of microloans.	HB 1881 (AWC) SB 5705	Rep. Springer Sen. Kilmer	Possible NTIB Possible NTIB

City of Kirkland Legislative Priorities and Status: 2011 Legislative Session

Updated 3.22.11

8	Streamlining the state environmental policy act process.	HB 1952	Rep. Upthegrove	3/5 Passed House – yeas, 95; nays 2; absent, 0; excused 1 3/8 Read into Environment, Water & Energy Bill is dead
9	"Fiscal relief" bill to postpone various city reporting requirements.	HB 1478	Rep. Springer	3/4 Passed House - yeas, 86; nays, 11; absent, 0; excused, 1 3/17 heard in GOTRE. Council Member Marchione testified 3/22 Exec Session scheduled in Senate GOTRE 3/24 Exec Session scheduled in Senate GOTRE
10	Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers	HB 1335 SB 5243	Rep. Springer Sen. Tom	Both bills are dead
11	Amend RCW 82.02.060 to eliminate cities' obligation to pay impact fees from qualifying public funds when exempting low-income housing from impact fee requirements.	HB 1398	Rep. Fitzgibbon	2/22 Passed House - yeas, 86; nays, 8; absent, 0; excused, 4 3/15 Exec Session in Senate FIHI, No Action Taken 3/16 Exec Session in Senate FIHI, No Action Taken 3/22 Exec'd out
12	Fire benefit authority	HB 1230 SB 5155		Both bills are dead

Legislative Support Issue	Bill #	Prime Sponsor	Status
Association of Washington Cities			
<p>Provide flexibility within current revenue and regulatory frameworks to respond to these challenging times</p> <ul style="list-style-type: none"> City fiscal flexibility package, such as greater flexibility in the expenditure of locally collected real estate excise tax (REET). Fund, Flex, Repeal, Amend, Pause (FFRAP), such as delaying adoption of new storm water regulations until the existing ones are successfully implemented and funded. 			See Top Priorities Sheet for Update...
<p>Enact new tools to help cities recover, thrive and be efficient</p> <ul style="list-style-type: none"> Pro-active public record proposals that address some of the problems that come with the burgeoning public records requests. Options for creating sustainable personnel related costs. Additional tools for combating gang activity including funding for gang intervention and prevention activities. Street maintenance utility authority. 	<p>SB 5022</p> <p>HB 1033</p> <p>SB 5025</p> <p>HB 1034</p> <p>SB 5049</p> <p>SB 5062</p> <p>HB 1139</p>	<p>Sen. Kilmer</p> <p>Rep. Eddy</p> <p>Sen. Hargrove</p> <p>Rep. Takko</p> <p>Sen. Kline</p> <p>Sen. Pridemore</p> <p>Rep. Armstrong</p>	<p>3/4 Passed - yeas, 47; nays, 0; absent, 1; excused, 1 3/14 – Heard in SGTA</p> <p>HB is dead</p> <p>3/2 Passed - yeas, 45; nays, 4; absent, 0; excused, 0 3/14 – Heard 1:30 in SGTA 3/21 – Exec'd out</p> <p>HB is dead</p> <p>SB is dead</p> <p>SB is dead</p> <p>HB is dead</p>
Maintain essential state revenues and authorities for cities	HB 1086	Rep. Hunter	Passed by House 2/17. Passed by Senate 2/18 Governor partially vetoed.

<ul style="list-style-type: none"> • Ensure continued appropriation of committed state shared funds and preserve existing local revenue authorities. • Preserve infrastructure funding such as the Public Works Trust Fund and storm water funding. • Retain current authorities – neither add new requirements or take any away. 	HB 1497 SB 5467	Rep. Dunshee Sen. Kilmer	Governor's proposed 11-13 capital budget funds all projects on the PWTF list. Capital budgets in the House and Senate won't come out until much later in the session.
Cascade Water Alliance			
Clarify and improve the tools available to voluntarily provide utility services on a joint basis.	HB 1332 SB 5198	Rep. Eddy Sen. Pridemore	2/22 Passed - yeas, 92; nays, 2; absent, 0; excused, 4 3/15 – Rules 2 nd Reading SB is dead
Eastside Human Services Forum			
<ul style="list-style-type: none"> • Maintain the current investment in home visiting funding and advocate for evidence-based home visiting programs such as Healthy Start by the federal government. • Maintain current funding for Washington Information Network (2-1-1) and improve quality and accessibility of services. 			<p>The Governor's and House supplemental budget proposal make up an error of \$300K for the Council for Children & Families for home visiting (if these aren't restored home visiting ends 3 months early). The Governor did not propose funding home visiting in the 11-13 budget. There is some flexible money in the Department of Early Learning in the Governor's proposed 11-13 budget that could be used for home visiting but it is not exclusive.</p> <p>211 funding was not cut in the Governor's proposed supplemental nor in the House proposed supplemental (HB 1086) and the Washington Telephone Assistance Program account (where 211 is funded from) was not swept. The Governor, however, did not propose funding 211 in the 11-13 budget.</p>

Environmental Priorities Coalition			
<ul style="list-style-type: none"> Budget Solutions for our Environment – Develop a proactive approach that will improve the economy while maintaining environmental protections. 2011 Clean Water Act/Working for Clean Water -- Fund job-creating projects across the state by building water infrastructure that will clean up our water ways. 	HB 1735 SB 5604	Rep. Ormsby Sen. Nelson	HB is dead SB is dead
Washington Fire Chiefs Association			
<ul style="list-style-type: none"> Require simple majority elections (50% +1) for Emergency Medical Services levies and Benefit Charge elections. Provide funding for CBRNE/Funded Regional Hazardous Materials Teams. Mandate radio repeaters for use by emergency responders inside buildings larger than 10,000 square feet. Exempt major fire department capital equipment purchases from State sales tax or allow for some form of a rebate. 	HB 1476 SB 5381	Rep. Haigh Sen. Prentice	HB is dead SB is dead
Washington Association of Sheriffs and Police Chiefs			
<ul style="list-style-type: none"> Burglar Alarm Program information protection – Amend RCW 42.56 to protect law enforcement false alarm program information from public disclosure that would compromise the security of properties. Require that red light cameras comport with federal standards and that fines are equalized. Increase penalties for vehicle prowl. 	HB 1234 SB 5244	Rep. Moscoso Sen. Fraser	<p>2/25 Passed - yeas, 97; nays, 0; absent, 0; excused, 1 3/18 – Rules 2nd Reading</p> <p>2/2/ Passed - yeas, 46; nays, 0; absent, 0; excused, 3 3/14 – Heard in SGTA</p> <p>WASPC ended up not putting these on their agenda.</p>

Washington Bicycle Alliance			
Safe Routes to School – Protect existing funding and find ways to improve the program to better meet the demand created by schools.	HB 1071	Rep. Moeller	2/28 Passed - yeas, 56; nays, 41; absent, 0; excused, 1 3/9 Heard in Senate Transportation
Washington Recreation and Parks Association			
<ul style="list-style-type: none"> Real Estate Excise Tax -- Provide local-option legislation allowing cities and counties to use up to 25 percent of the revenue from the two local 1/4-percent Real Estate Excise Tax (REET) collections to be used for maintenance and operations of parks and recreational facilities. Washington Wildlife Recreation Program (WWRP) – Support the request by the Recreation and Conservation Funding Board, the Washington Wildlife and Recreation Council (WWRC), WRPA, and others to preserve a \$100 million 2011 Capital Budget funding level for the Washington Wildlife and Recreation Program (WWRP) Grant program. 			<p>See Top Priorities Update Sheet.</p> <p>The Governor’s proposed capital budget for 11-13 created the “Puget Sound Washington Wildlife and Recreation Grants” program, which selects certain projects off the WWRP ranked list.</p>
Washington Low-Income Housing Alliance			
<ul style="list-style-type: none"> Maintain the State’s investment in Housing Trust Fund. 			The Governor’s proposed capital budget for the 11-13 biennium gives \$40m to the Housing Trust Fund.
Washington Chapter of the American Planning Association			
<ul style="list-style-type: none"> Create a funding mechanism for Planned Action EIS -- Amend RCW 82.02.020 to allow jurisdictions to impose a fee or charge on development for preparation of a Planned Action EIS. 			

WRIA 8			
<ul style="list-style-type: none"> Funding – Support legislation to establish a sustainable funding mechanism to implement the Puget Sound Partnership agenda including funding for projects, programs, permitting and monitoring related to storm water pollution in Puget Sound and throughout Washington State. Authorize legislation for creation of multipurpose Watershed Districts. 	HB 1332 SB 5198 HB 1735 SB 5604 HB 1497 SB 5467	Rep. Eddy Sen. Pridemore Rep. Ormsby Sen. Nelson Rep. Dunshee Sen. Kilmer	Watershed Bills: 2/22 Passed - yeas, 92; nays, 2; absent, 0; excused, 4 3/15 – Rules 2 nd Reading SB is dead Storm Water: HB is dead SB is dead Puget Sound Partnership in Capital Budgets
Additional Legislation to Support			
<ul style="list-style-type: none"> Support brown grease to energy conversion legislation and programs. Support modification of the Washington State Department of Licensing's (DOL) implementation of the Commercial Driver's License process. Support legislation providing for the safe collection and disposal of unwanted drugs from residential sources through a producer provided and funded product stewardship program. Support an amendment to RCW 46.68.090 that would allocate gas tax revenues between counties and cities based on a per capita allocation rather than the current fixed percentages. Support legislation that would allow cities access to the State Department of Labor and Industries data as a means of verifying local business tax payments. 	HB 1370 SB 5234	Rep. De Wege Sen Kline	HB is dead SB is dead

Attachment C

Kirkland Bill Tracker: House Bills
(updated 3.22.11)

Bill	Title	Position	Status
<i>Support</i>			
HB 1012	Planning commissioners	Support	
HB 1014	Watersh mgmt partnerships	Support	
HB 1071	Complete Streets grant prog	Support	
HB 1223	Street vacation hearings	Support	
HB 1234	Security alarms, crime watch	Support	
HB 1332	Utility services joint mgmt	Support	
HB 1336	Census data/annexation	Support	
HB 1382	Express toll lanes/eastside	Support	
HB 1398	Low income housing/fee ex.	Support	
HB 1406	intrastate building safety mutual aid system	Support	
HB 1469	Landscape conservation	Support	
HB 1478	Fiscal relief/cities & towns	Support	
HB 1497	2011-2013 capital budget	Support	
HB 1730	Authorization of bonds issued by local gov	Support	
HB 1881	Community redevelopment financing	Support	
HB 1952	SEPA (formerly HB 1713)	Support	DEAD
HB 1953	Real Estate Excise Tax	Support	
HB 1969	Exempting FCDZ from regular property tax levies	Support	
<i>Neutral</i>			
HB 1702	impact fees/convenents	Neutral	
HB 1812	Relating to community municipal corporations	Neutral	
HB 1997	Tourism, workfrce hsg, art & hrtge progrms	Neutral	
<i>Oppose</i>			
HB 1026	Adverse possession actions	Oppose	
HB 1634	Regarding underground utilities.	Oppose	
<i>Undecided</i>			
HB 1098	Traffic safety cameras		
HB 1099	Traffic safety cameras		
HB 1126	Criminal street gangs		
HB 1217	Speed limits		
HB 1279	Traffic safety/intersections		
HB 1462	Affordable housing		
HB 1662	appeal/shoreline mgmt act		
HB 1882	Transportatioin connectivity		
HB 1855	State mandates		
HJR 4217	Community redevelopment financing		

Kirkland Bill Tracker: Senate Bills
(updated 3.22.11)

Bill	Title	Position	Status
<i>Support</i>			
<u>SB 5022</u>	Court actions/42.56.550	Support	
<u>SB 5025</u>	Inmate public record req.	Support	
<u>SB 5034</u>	Concerning private infrastructure development	Support	
<u>SB 5098</u>	minors in parks/recs progs	Support	
<u>SB 5143</u>	Annexation/fire prot. Dists.	Support	
<u>SB 5154</u>	Modifying vehicle prowling prov	Support	
<u>SB 5192</u>	Shoreline Management Act	Support	
<u>SB 5244</u>	security alarms, crime watch	Support	
<u>SB 5253</u>	landscape conservation	Support	
<u>SB 5467</u>	2011-2013 capital budget	Support	
<u>SB 5505</u>	census data/annexation	Support	
<u>SB 5638</u>	Levy suppression fix for FCZD	Support	DEAD
<u>SB 5705</u>	Community redev financing	Support	NTIB
<u>SB 5834</u>	Extending lodging taxes to programs arts/heritage	Support	
<i>Neutral</i>			
<u>SB 5607</u>	impact fees/covenants	Neutral	
<i>Oppose</i>			
<u>SB 5553</u>	Requiring cities post certain info on web sites	Oppose	
<i>Undecided</i>			
<u>SB 5013</u>	Land use permit process		
<u>SB 5155</u>	Public safety authorities		
<u>SB 5181</u>	State debts statutory limits		
<u>SB 5188</u>	Traffic control signals		
<u>SB 5214</u>	Affordable housing		
<u>SB 5265</u>	Multijurisdiction flood control zones		
<u>SB 5299</u>	Shoreline & pollution boards		
<u>SB 5530</u>	appeal/shoreline mgmt act		
<u>SB 5683</u>	City utility infrastructure		
<u>SB 5693</u>	"Copy"/public records act		
<u>SB 5695</u>	Local gov't bonds		
<u>SB 5716</u>	Traffic safety cameras		
<u>SJR 8213</u>	Community redevelopment financing		